G. R. S. 58]

Previous references. 1924 (Irrigation)

Irrig. 20-24-1-2

File No. 76-24

Serial Nos. 1-5

Later references

105-5-1-5

105 25-5 6

Irrig 73-34-1-2

" 149-34-1-6

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 5

Part B for April 1925

SUBJECT

Petition from Kaveka Narasingar, praying for the restoration of the lands granted to the Chattram & Hasan Talaiyari to his possession as the building Nadaiar have converted into Rest House.

To the Irrig. Commr
" Comptr
" Dewan Secy

4 D-a 1451-5

Ir 6.4.5

The Dewan Lands be left undisturbed in the possession of the petitioners subject to the usual conditions.

MUZRAI SECRETARIAT.

(Muzrai)

NOTES.

F ( )

FILE HEADING

Dharmadaya Land attached to The chattram at Gowne, Hosa- Taluk.

From

Kasba Narrienpar and Lekhinai- ne Simla.

No Petition Dated Received

Diary No.	Enclos.	Spare Copies.	Serial No
372			

BRIEF ABSTRACT OF LETTER.

Reports that The chattram building at Gowne Narain Gowd has created Their chattram into rest house, has built by his own cost and is endowed with Dharmadaya land. The profits of these lands is advised for ...

NOTES AND ORDERS.

23-9-1922 and put ... of The Sale, and ... These lands, ... and for ... appeal

The petition is filed

NOTES--First Sheet

WD 0560—GPB—500—9 8 22

General Land Revenue Secretariat

File No

Serial No

[illegible]

[illegible] I have received with [illegible] the decision of Govt in para 3 [illegible] 5.24 this Mun Cmr recommends that the main tenure of the land in question might be cancelled and Govt approval of his recommn. The Cmd. papers will be issued and Govt.

4) In the meantime as the appellant says that he has been in enjoyment of the lands for over 60 years, orders are solicited as to whether the stay of execution proceedings may be granted, and a report with records called for from the Mun Cmr.

BG
25/9/24

5) As the petitioners contends that the lands are their own, and say would produce documentary Evidence in their support, the order to sell the land may perhaps be stayed, a detailed report on the points may be called for, and after receipt of the

File No. of 19 General and Revenue Secretariat.

Serial No.

Dawn, The petitioners may be heard, if necessary.
26.9.29.

733/269 2nd Member)

b) The petr may be sent to true copy of the order to be made thereon for the D.C. ~~Lahore~~ Sialkot with his opinion within 3 months. The case of the Dawn Lands about which the petitioner may be asked to be heard on a subsequent day in receipt of the true copy upon which the order is to be thereon

26/9

1 Pet. to Messrs. Carr & Sahni.
AG 26/9 26.9.29

2 Issue. Accordingly endt
Petn
26.9.29

1 Pet. endt to Petrs. Sahni.
AG 26.9.29

Dl. 2. To the Mess Commr N. No. 671 d. 26.9.29. 7 days
The above petition has report & requests him to issue a stay order pending the disposal of the petition.

Dl. 3. To the petitioners. No. 672 d. 26.9.29.
Informs them of the action taken above.

General and Revenue
Secretariat

File No 6

Serial No

From the Mr.
Letter dated
forwards a copy of
Court's report on the
states that the petitioner
deserve any re-consideration
the orders passed
no. 252-55 dt 19-8-1926 by
of the lands under Darkhast
Rules, may be allowed to stand

10) The Mag. Comm. letter of
the facts of the case. It is
submitted for orders reported that
Rly 15.2 the chabutra building
has not yet been
handed over to the
District Board

The Comr. may be requested to
his request that the Hon Comr. may
revise suitable order. S. to Comr.

Rly
15-2-35

11) There seems to be some force in the
contention of the petitioners. The Dy Comr's
report is based on a vague report of the
S.D.O., and no enquiry has been held
by him into the matter. If as is alleged
by them, the original building was constructed
by the ancestors of the petitioners, and the

lands were granted as Inam for the up keep of their Chatram. it stands to reason that Govt can neither abolish the Chattram nor resume its Inam and dispose of it by Sale. It is admitted that the Inam was granted prior to the Cancellation of Poornialy Chatram by the Raja, and the abolition of feeding which Inam is only with the Rajas, Cannot alter facts as they were before the introduction of the same; and so long as the petitioners are prepared to maintain the institution in as useful as it used to be before the introduction of feeding by Govt, they may perhaps have to be left in charge of the Chatram as well as the Inam lands. The Dy Coll may perhaps be able to hold a thorough Enquiry. The petitioners say they will produce the original Titledeeds and other Evidences on their behalf. The Dy Coll may be able to give them a hearing, examine the documents produced, the other documents if any & then submit a report with his opinion in.

Serial No.

19.2.25

23.2.25

23.2.25

605
23.2

NOTE—Contn. Sheet

General and Private
Secretary

File No. 76 of 19 27

General and Revenue Secretariat.

Serial No.

is a fact / and this appears to be no good ground for doubt in the case / doubted / in the circumstances that / the first annexation was subsequently transferred to the Treasury ~~should be~~ Cannot dispense with part of them from the statutory and just restrictions on the alienation of the Annachatrams. In the circumstances it is desirable to modify the provisions under which the Inam lands or Quasi Inam lands are kept under disturbance in the possession of the party subject to the condition that the Enjoyment of the Inam will carry with it the obligation on the part of the party to maintain the chattram (where such has been instituted to manage) in proper condition & may be available for the use of the public and keep the gardens of the party or his descendants to discharge their obligations on any time with entail the resumption of the Inam to Govt.

28/2

28

28 2/25

AV 2/3

NOTE—Contn. Sheet

46 Collector. visit a Dist. under. M 6/31/25 Dt 28/2/25

General and Revenue
Secretariat

Serial No.

17) Please send a medical

16) Bill 8a revised and [illegible]
typed [illegible]

16/3/25

18) for appl

23 3 25

Rev-Secy

Term

for Secy WH 24/3

for Secy

27.3

28/3

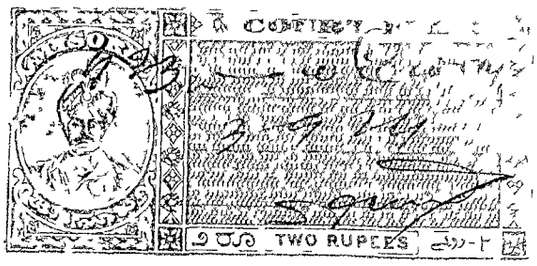
5 In the Bengal Council Chamber
Secretariat Department. No. 1351-3C. Dated [illegible]
in modification of the [illegible]
August 1924 that Mr. [illegible]
appointed in the [illegible]
subject to the condition [illegible]
shall be required to [illegible]
the rule of the [illegible]

15/4

G.R.S. III 21

File No. of 19 . General and Revenue Secretariat

Serial No



BEFORE THE GOVERNMENT OF HIS HIGHNESS THE

MAHARAJA OF MYSORE AT BANGALORE.

***

Mis. Rev. Petition No. /1924-25.

Presented by the Petitioners' counsel on [illegible]

****

PETITIONERS:- 1. Kasba Narayana Iyengar.

2. Kasba Lakshminarasimhachar.

Residents of Grama,

Hassan Taluk.

--:*:*:*:*:*:*:--

The petitioners abovenamed beg to state as follows:-

1. The ancestors of the Petitioners constructed a Chatram at their own cost for the use of the public with charitable motives in their village of Grama, Hassan Taluk, before in the year 1860. This Chatram was endowed with certain -- Karab lands as Dharmadaya Inam for its up-keep and as intimated to the ancestors of the Petitioners in Deputy Commissioner's Order No.121 dated 12-4-1860, the grant was confirmed by Inam Commissioner and Chief Commissioner in his order No. 4831-316 dated 5-9-1874. Since then the lands are in the uninterrupted enjoyment of the Petitioners who are, in turn, maintaining the Chatram and doing the annual repairs

repairs year after year.

2. About 30 years later, however, the Purniah's Chatram which was in Bellur with a grant of Rs.290/- was transferred to Grama and located in the existing building of the Petitioners as it was handy, and accordingly the feeding continued till lately, when, feeding was abolished by Government as in several others in the State and was consequently converted into a mere rest house as before. It will be thus seen that the existing building which was built at private costs of the Petitioners' forefathers and the Dharmadaya Inam connected with it have no manner of connection with the schemes of - either Purnaiya's Charities or the rest houses.

3. About a year back, in pursuance of (71) Government Order No. 162-79-Muzrai 268-22-11 -- dated 17-4-1924, the up-keep and repairs of the so converted rest houses were handed over to the District Board. After a prolonged correspondence it was settled that instead of Petitioners maintaining the Chatram, the District Board would undertake the same on the Petitioners paying a fixed sum in lieu of enjoyment of Dharmadayam Inams connected with the Chatram. It was accordingly agreed and consented to by the Petitioners that an annual payment of Rs.80/- should be given to the District Board and these Petitioners did execute a Mutchalika to that effect on 13-11-1923 in favour of the said Department. In spite of these facts, the Petitioners have now learnt to their surprise, that Inam lands, rerred to above, have been advertised to be sold

under

under Darkhast Rules as per Government Order No. 1671-3-283-23 dated 17-5-1924 and that the Sub Division Officer is to conduct the sale which is fixed for sale on 27-9-1923.

4. The Petitioners, therefore, pray that the Government may be pleased to review their orders, and in the light of the representations made above and for the following among other reasons:--

(a). No notice of resumption of Inam lands was ever given to the Petitioners at any time and no opportunity was given to them to make their representations.

(b). That the lands enjoyed by the Petitioners for over 60 years have absolutely no manner of connection with the feeding establishment of Purnaiya's Charities, the said lands having been which was expressly endowed -- for the up-keep of the private Chatram built and maintained by the Petitioners and their ancestors.

(c). That the Petitioners have no notice so far about the sale of the Inam lands, which is fixed for the 27th instant.

The Petitioners, therefore, pray that the Government Order directing the sale of the Inam lands may be cancelled and the Petitioners be allowed to continue in possession thereof. The Petitioners are prepared to produce the original Title Deeds and other evidence in support of their case.

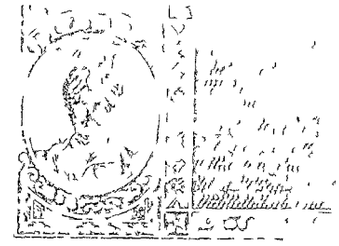
The Petitioners further pray that -

pending

pending enquiry and orders on this Petition, an ad interim Order directing the STAY OF THE SALE fixed for 27-9-1924, may kindly be granted

BANGALORE,
25th Sept.,1924.

N BALAKRISHNAIYA, B.A., LL.B
ADVOCATE



In the Court of the

BANGALORE.

O. S. / R. A. No. of 192 -192 .

Plantiff / *Petitioner* / *Appellant* — *Defendant* / *Opponent* / *Repondent*

Vs.

The Petitioner abovenamed do by these presents retain

Mr. N. BALAKRISHNAIYA, B.A., LL.B.,
Advocate,

to appear in the above case and to take all steps necessary in connection therewith and to conduct the same on his behalf to judgement.

He further empower him to execute any decree or order that may be passed in his behalf ; to receive from the said Court such sums of money as he may be entitled and grant receipts therefor ; to withdraw or compromise the above case and fully represent he in all his acts and to appoint if necessary substitutes to act for him in his absence.

Also hereby undertake to pay all Fees costs and such other charges which may be incurred by him and to confirm and ratify all acts done by the said Advocate in so acting.

Known to me and signed
in my presence

15. 9. 1924

ACCEPTED.
Counsel for,

Muz 4]

SUBJECT ....

.. ..

... .

Diary No. of letter replied to _____ _____

Section

File No

Serial No.

Muzrai Secretariat

( )

, *the* *192*

No.

Date of issue 26.9.26

Signed by [illegible]

To

The Inuz. Comr

Sir,

I am directed to forward herewith petition dtd. no. 372 from Kasha Narayana Iyengar and another of Grama in the Hassan Taluk praying for the cancellation of the sale of the Sthala of Dharmadaya land endowed to

at Gramapte. and to
request that you will be
so good as to obtain a
full report ~~thereon~~ from
the Dy. Comr. and send
it up with your opinion
within 3 months. I am
to add that the sale
of the inam lands
attached to the chattram
may be held in abeyance
pending the receipt of
your
~~the Dist. Comrs.~~ report
and the orders of
Govt. thereon.

I have &c

V. 26.4.22.

Dft. by Rev. Secretary

Copied by

Examined by

26-9-22

WD 0563—GPB—2,500—27 7 22

List of enclosure

Muz 4]

SUBJECT ....

.. ..

... .

Diary No. of letter replied to _____

Muzrai Secretariat

( )

, the *192*

Section

File No.

Serial No.

No.

Date of issue 26.9.26

Signed by Jnr T. Kumari

To

With reference to their petition Regd no. 372 praying for the cancellation of the sale of the Sthala of Dharmadaya lands endowed to the Chathram at Grama, Hassan Taluk, Hassan. Kasba Narayana Murthy and another of

Report has been called for from the Asst. Comr. who has been requested to hold in abeyance the order re the sale of the crown lands ~~appealed against~~ pending the order of Govt on the petition.

By order

26.5.25

Asst Secretary

26.9.25

List of enclosures.

Copied by

Examined by

WD 0563—GPB—2,500—27-7 22

3.196

No. C8/M-27 Office of the Muzrai Commissioner in Mysore

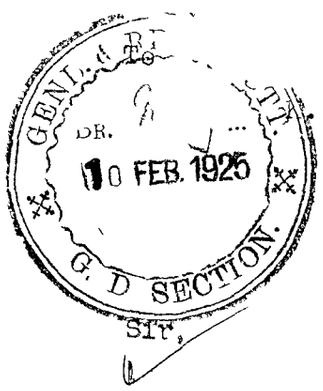
encs 3 with a Regr/ref/dc Dated Bangalore, 7th Feb 1925.

From

K. Chandy, Esquire., B.A.,

Muzrai Commissioner in Mysore,

Bangalore. 1322



To

V. Anantaraman, Esquire., B.A.,

Secretary to the Government of

His Highness the Maharaja of Mysore,

Revenue Department.

Sir,

With reference to your letter No.421/M.F.76-24-2 dated 26th September 1924, forwarding for a full report on the appeal petition of Kasaba Narayana Iyengar and another of Grama, Hassan Taluk. I have the honor to submit herewith copy of letter R.H.C.No.222-24 dated 2nd January 1925 together with its enclosures reporting fully upon the facts of the case.

2. As the lands have been shown as Dharmadaya for the support of the coultry in the village (vide copy of the inam registr enclosed), as there is no authentic information as to whether the choultry was originally built by the ancestors of the present appellants and whether at their instance the Jodi lands in question were granted and as the appellants have also failed to adduce fresh evidence in the matter, I am of opinion that the question does not deserve any reconsideration and that the orders passed in Government Order No. 252-55/Muz.20-24-2 dated 19th August 1924 to dispose of the lands under Dharkhast rules may be allowed to stand.

3. As regards the disposal of the building I submit herewith copy of Deputy Commissioners letter H.C.No.222-24 dated 28th January 1925 intimating that the building has not yet been handed over to the District Board.

I have the honor to be,
Sir,
Your most obedient servant,

K. Chandy

Muzrai Commissioner.

KSR.

Letter No.R.H.C.222-24 dated 2nd January 1925 from the Deputy Commissioner, Hassan District to the Mysore Government.

"In reply to your letter No.C.406 of 4-10-24 forwarding copy of Revenue Secretary's letter No.4[illegible] dated 26-9-24, calling for a report on the petition of [illegible] Laksminarasimhachar of Grama village re. the cancellation of Inam lands endowed to the Chattram at Grama I have to submit as follows:--

(1) From the records it is seen that the ancestors of the petitioners, built the chattram building long ago and that certain lands were given as Inam by Government for the upkeep of the building in Grama and Mallenhalli villages of the Grama Iohli, the jodi [illegible] cess to be paid being Rs.14-12-0

(2) The Sub Division Officer, Hassan reports that when Kurniah's Chattram was transferred to Grama, the chattram was located in the present building.

(3) In the year 1889-90, as the chattram building was in disrepair orders were passed to recover the full assessment of the inam lands viz., 126-4-0 from the managers the amount to be kept in deposit for the repairs of the building.

(4) This chattram was converted into a rest-house in compliance with G.O.No.804-17/M.F.177-14-10 dated 11-10-1916.

(5) On 9-9-22 orders were issued in this office No.320-16 to lease out the inam lands to the best advantage of the institution. On this the Managers in their statements before the Amildar of Hassan Taluk have stated that they are willing to pay Rs.80/- annually to reserve towards the repairs of the building and that the lands need not be leased.

(6) As per G.O. No.1462-79 Muz.268-22-11 dated 17-4-24 the Rest house at Grama was abolished and the building was ordered to be handed over to the District Board. In para 3 of G.O.No.1671-3//Muz.203-23-2 dated 17-5-24 Government called for the proposals in the matter of the disposal of inam lands and in their order No.252-5/Muz.20-24-2 dated 19-8-24 ordered that the inam tenure may be cancelled, the lands being disposed of under the darkhast rules.

(7) Accordingly orders were issued to the Sub Division Officer, Hassa

Hassan to take further action in thematter and the lands were - advertised for sale on 27-9-24. The sale was not conducted by the Sub Division Officer as Government ordered the sale proceedings to be stopped. On this the present appeal has been preferred to Goverment to revise the order.

8. The entire file of vernacular records ending with the -- Hassan Sub Division Officer's No.C.C.538-27 dated 13th December 1924 is herewith sent."

"C o p y"

K 4 6 : 24

Muzrai Commissioner.

KSR.

Letter No.H.C.332-24 dated 27/28th [illegible]
Deputy Commissioner, Hassan District to the [illegible]
Mysore.

"With reference to your letter No.C.C/24-[illegible] 1925 forwarding copy of Revenue Secretary's letter No.R.[illegible] 26th December 1924 re: the disposal of the [illegible] Grama, I have the honor to state that the Sub Div[illegible] reports that the building has not yet been handed over [illegible] Board Hassan.

The report No.O.C.538-22 dated 14th January 1925 [illegible] the Sub Division Officer, Hassan is herewith sent."

"C o p y"

KSR.

[illegible]
for Muzrai Commissioner.

Submitted.

The building has not been handed over to the District Board Hassan as yet. The connected records are submitted to the Deputy Commissioner's office Hassan with this office Memo No.C.C.536-22- dated 13th December 1924.

(Sd.) N. Subba Rao

Sub Division Officer,
Hassan.

--

D.O.No.R.946 dated 26th December 1924, from the Secretary to ---- Government of Mysore, Revenue Department to the Mysore Commissioner in Mysore.

--

"I am desired to invite reference to the Government order No.353-5/ Muz.20-24-3 dated the 16th August 1924 calling for a further report re the disposal of the building of the Anna Chattram at Grama, Hassan Taluk and to request that the submission of the same may be expedited."

"C o p y"

(Sd.) N. Subba Rao,
for Deputy Commissioner
Hassan District.

"C o p y"

[illegible]

for Mysore Commissioner.

KSR.

G.R.S. VI-71]

SUBJECT .. ..

Diary No. of letter replied to ....

General and Revenue Secretariat

( )

, *the* *191* .

Date of issue.... 6.4.27 A

Signed by.... Ms. T.R. .....

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

Section

File No.

Serial No.

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read —

G.O.No.252-5/Muz.20-24 dated 19th August 1924 sanctioning the Muzrai Commissioner's recommendation for the cancellation of the inam tenure of the lands endowed to the chattram at Crama, Hassan Taluk, and for the disposal of these lands under Darkhast Rules.

Petition No.372 dated 25th September 1924 from Kasha Narniengar and Lakshminarasimhachar, stating that the chattram building referred to in which Government had located their annachattram, since converted into Rest House, was built by their ancestors at their cost and that the Inam was ~~once~~ granted to them, and praying for the restoration of the lands to their possession.

Letter No.C.8 dated 7th February 1925 from the Muzrai Commissioner in Mysore on the subject.

ORDER THEREON, NO: 1451-3

Exec Regt Confidential 76-24-6 dt 6-4-27

The records show that the ancestors of the Petitioners - Kasha Narniengar and

Lakshminarasimhachar constructed the chattram building at Grama, Hassan Taluk, which was subsequently endowed with inam lands in Grama and Mallanahalli villages for its upkeep. When later the Gorakhs Purniah's chattram was transferred to Grama, it is reported to have been located in this present building.

In compliance with the G.O.No.804-17/Muz.F.177-14-10 dated 11-10-1916, the chattram was converted into a Rest House. As per G.O.No.1462-79/Muz.268-22-11 dated 17th April 1924, the Rest House at Grama was abolished and the building was ordered to be handed over to the District Board.

In G.O.No1671-3/Muz.283-23-2 dated 17th May 1924, proposals for the disposal of the Dharmadaya lands in question were called for and in Proceedings No.252-5/Muz.20-14-2 dated 19-8-24, the inam tenure of the inam lands endowed to the chattram was concelled and the lands were ordered to be disposed of under the Darkhast Rules.

Kasha Naraniengar and Lakshminarasimhachar have petitioned to Government praying that the chattram building and the Dharmadaya lands may be restored to their possession. The Muzrai Commissioner who was asked to report on the petition stated that as there is no authentic information as to whether the choultry was originally built by the Petitioners' ancestors and whether at their instance the Jodi were granted, he is of the opinion that the question does not deserve any reconsideration and that the orders passed in the G.O. read above may be allowed to stand.

List of enclosures.

Copied by

Examined by

WD 1144--GPL--30 000--17-3-19

From copies of Inam Thakta of 1885 relating new chattram, Title-deed and other documents

G. R. S. G/33]

GENERAL AND REVENUE SECRETARIAT.

inuation sheet draft form.)

received with the records, it is seen that the ~~xxx~~ chattram building at Grama ~~referred to~~ was originally constructed by the ancestors of the petitioners at their cost and that the Inam (land) was granted to them. The circumstance that the Government Annachattram was subsequently transferred to the building cannot deprive the petitioners of the right to have the status antè quo restored on the abolition of the Annachattram. In the circumstances, it is directed in modification of the previous order of August 1924, that the inam lands in question be left undisturbed in the possession of the petitioners subject to the condition that the enjoyment of the Inam (land) will carry with it the obligation on the part of the petitioners to maintain the chattram building (which will be restored to their management) in proper condition so as to be available for the use of the public, and that the failure of the petitioners or ~~his~~ their descendants to discharge the obligation at any time will entail the resumption of the inam to Government.

27/3 23325

Rev: Secy: to Govt:

To 20/3/25

The Muzrai Commissioner with the records.

" Comptroller to Government.

" Superintendent of Inam Settlement.

WD 2280—GPB—1,00,000—23-7-20